IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

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**WRIT PETITION NO : 1134 of 2005**

Between:

Neni - Hi Tech Club, ( a unit of Neni -Hi Tech Club Private Limited), 169, Lal Bangalow, Near S.V.V.V. Sanskrit College, Old Air Port Road, New Bowenpalli, Secunderabad
rep by its Director A. Satyanandam

.... PETITIONER

**AND**

Principal Secretary to Government, Government of Andhra Pradesh, Home (General-B) Department, A.P. Secretariat, Saifabad, Hyderabad.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly in the nature of Writ of Mandamus or any other appropriate Writ, declaring that the inaction on the part of the Respondent i.e. Principal Secretary to Government, Government of Andhra Pradesh, Home (General-B) Department, A.P. Secretariat, Hyderabad in Keeping the application dated 30-8-2004 of the petitioner club to grant Tombola licence as illegal, arbitrary, fraudulent, malafide besides being violative of cardinal principles of natural justice and a direction may be given to the Respondent to consider the application of the petitioner club to grant the Tombola licence for the period 01-9-2004 to 31-8-2005 and pass such other order or orders.

**Counsel for the Petitioner: SMT.V.DYUMANI**

**Counsel for the Respondent: GP FOR HOME**

The Court at the admission stage, made the following:

**ORDER**: -

The petitioner claims to have submitted an application to the respondent for grant of licence for conducting Tombola game in terms of Section 5 of the A.P. Lotteries Act (for short "the Act"). Petitioner states that the licence period itself is one year from first September of an year to the 31st August of the succeeding year. They claim to have complied with all the conditions and complain that the respondent has not taken any action so far.

2. Heard learned counsel for the petitioner and learned Government Pleader for Home.

3. The matter of grant of licence for the activity proposed to be undertaken by the petitioner is governed by the provisions of the Act. The question as to whether the petitioner has fulfilled the qualifications for grant of licence cannot be adjudicated by this Court at this stage. However, when once an application is made under statutory provisions, the concerned authority is under obligation to consider the same and pass appropriate orders either way, within a reasonable time. The delay in disposal of the application is likely to defeat the very purpose of submitting the application.

4. Hence, the writ petition is disposed of directing that the respondent shall pass appropriate orders on the application said to have been made by the petitioner within a period of six weeks from the date of receipt of copy of this order. There shall be no order as to costs.

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**L.NARASIMHA REDDY, J**

**Dated : 31.01.2005**

To

1) The Principal Secretary to Government, Government of Andhra Pradesh, Home (General-B) Department, A.P. Secretariat, Saifabad, Hyderabad.

2) 2 CCs to G.P for Home, High Court Bldgs.Hyd.(OUT)

3) 2 CD copies.

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